

FINAL
Meeting Summary/Minutes

The Good Neighbor Environmental Board Meeting

**Sul Ross State University
Alpine, Texas**

October 24-26, 2006

Meeting Theme: Big Bend / El Gran Recodo

Administration: U. S. Environmental Protection Agency
Office of Cooperative Environmental Management

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The Good Neighbor Environmental Board

**Sul Ross State University,
Alpine, Texas
October 24-26, 2006**

Meeting Summary/Minutes *DRAFT*

Meeting Theme: Big Bend / El Gran Recodo

Day 1 – Tuesday, October 24, 2006

(9:37 a.m.)

Meeting Participants:

Non-Federal Board Members

- Paul Ganster, Ph.D., Chair and Director, Institute for Regional Studies of the Californias, San Diego State University, San Diego, California
- Christopher P. Brown, Ph.D., Associate Professor, New Mexico State University, Las Cruces, New Mexico
- Michael P. Dorsey, Chief, Hazardous Materials Division, San Diego County Department of Environmental Health, San Diego, California
- Edward Elbrock, Rancher, Malpai Borderlands Group, Animas, New Mexico
- Jennifer A. Montoya, U.S. Program Director, Chihuahuan Desert Conservation Project, World Wildlife Fund, Las Cruces, New Mexico
- Stephen M. Niemeyer, Texas Commission on Environmental Quality (TCEQ), Austin, Texas
- David Randolph, Border Coordination Officer, Arizona-Mexico Commission, Phoenix, Arizona
- Douglas S. Smith, Director, Corporate Environmental Safety and Health, Sony Electronics, Inc., San Diego, California
- Robert Varady, Ph.D., Deputy Director, Udall Center for Studies in Public Policy, University of Arizona, and Research Professor of Environmental Policy, Tucson, Arizona
- Ann Marie A. Wolf, President, Sonora Environmental Research Institute (SERI), Tucson, Arizona

Federal Board Members

- Carl Edlund, Director Multimedia Planning and Permitting Division, EPA Region 6
- Gary Robison, Assistant Chief, Asset Management Division, Customs and Border Protection, U.S. Department of Homeland Security, Washington, D.C.
- James Stefanov, U.S. Geological Service, U.S. Department of Interior, Austin, Texas

Board Resource Specialists

- Lana Corrales, National Center for Environmental Health, Center for Disease Control and Prevention, Atlanta, Georgia (HHS Alternate)
- Sally Spener, Acting Secretary, U.S. Section, International Boundary and Water Commission (IBWC Alternate), El Paso, Texas
- Carlos Rincon, Ph.D., Director, U.S. EPA Region 6 Border Office, El Paso, Texas

EPA/OCEM Staff and Management

- Rafael DeLeon, Director, Office of Cooperative Environmental Management, EPA
- Elaine M. Koerner, GNEB Designated Federal Officer (DFO)
- Geraldine Brown

Speakers:

- Vic Morgan, President, Sul Ross State University, Alpine, Texas
- Mickey Clouse, Mayor, Alpine, Texas
- Judge Val Clark Beard, Brewster County, Texas
- Dr. Ernesto Enkerlin, President, National Commission on Protected Areas, Mexico
- Russ Whitlock, State Coordinator, Texas National Parks, National Park Service
- Paul Silber, private landowner, Wild & Scenic Rivers Program
- Tom Beard, Far West Texas Water Planning Region
- David Schanbacher, Texas Commission on Environmental Quality
- Jack Schmidt, Professor, Utah State University
- Mark Briggs, World Wildlife Fund

Public Commenters:

- Aimee Roberson, U.S. Fish and Wildlife Service
- Juan Antonio Flores, Public Affairs Director, North American Development Bank
- Leslie Hopper, Rio Grande Research Center, Sul Ross State University (Sul Ross)
- Kevin Urbanczyk, Chair, Department of Earth and Physical Science, Sul Ross, and Project Director, Rio Grande basin grant, USDA

Public Attendees:

- Larry Allen, former GNEB member, Albuquerque, New Mexico
- Adelina Beall, Graduate student, Geology Department, Sul Ross
- Tom Beard, rancher, Alpine, Texas
- Jeff Bennett, Physical Scientist, Big Bend National Park
- Vidal Davila, Big Bend National Park, organizer of the GNEB field trip
- Margaret Earnest, Texas Commission on Environmental Quality (TCEQ)
- Chad Ellis, Natural Resources Conservation Service, Alpine, Texas
- Ty Fain, Rio Grande Institute, former drafter of GNEB legislation
- Keith Klein, Professor, Industry and Technology Department, Sul Ross
- Matthew O'Toole, Research Technician, Rio Grande Research Center, Sul Ross.
- Brad Traver, Acting Superintendent, Big Bend National Park
- Tom Shiller, student, Sul Ross
- Keith Sternes, Chair, Department of Biology, Sul Ross

Background

The Good Neighbor Environmental Board (GNEB or the Board) is an independent advisory committee that is managed by the U.S. Environmental Protection Agency (EPA). It advises the U.S. President and Congress on good-neighbor practices along the U.S.-Mexico border. The focus is on the environmental and infrastructure needs of the U.S. states that border with Mexico.

Welcome and Introductions

Rafael DeLeon, Director, Office of Cooperative Environmental Management (OCEM), EPA, welcomed board members and guests to the October 2006 meeting of the Good Neighbor Environmental Board (GNEB) meeting in Alpine, Texas. He thanked **President Vic Morgan** and his staff of Sul Ross State University for hosting the meeting. He acknowledged **Mayor Mickey Clouse** and **Judge Val Clark Beard** and thanked the National Park Service and members of the Planning Committee for their efforts. **Director DeLeon** noted that this was the first GNEB meeting in this part of the border region and he looked forward to hearing about the area's environmental issues. He then introduced **GNEB Chair Paul Ganster, Ph.D.**, who would chair the meeting.

Dr. Ganster, Chair, described the GNEB as a Federal advisory panel that advises the President and Congress about environmental conditions along the U.S./Mexico border. GNEB meets three times each year, two times in border communities and once in Washington, DC. He said that it was important for Board members to interact with people in border communities, to listen to their concerns and issues, and to understand their different cultures. He invited audience to pick up a copy of the Board's earlier annual reports that were available at the meeting.

Elaine Koerner, Designated Federal Office, (DFO), welcomed members and other participants and introduced the three distinguished local officials, **Vic Morgan, President Sul Ross University, Mayor Mickey Clouse**, and **Judge Val Clark Beard**, who would make opening remarks.

Opening Remarks

Vic Morgan, President, Sul Ross State University, welcomed members to Alpine, Texas and the University and described the background of Lawrence Sullivan Ross, for whom the University was named. He summarized three projects in the Sustainable Agricultural Water Resources in the Rio Grande River Basin research project and identified key researchers at the University, as follows:

1. Upland Range Management in the Upper Terlingua Creek Basin, a large watershed that flows into the Rio Grande, involving removal of invasive plant species to improve water resources. (Bonnie Warnock)
2. Water quality issues and pathogen sampling in the Rio Grande (Keith Sternes)
3. Regional ground water studies that quantify underground aquifers' resources (Dr. Kevin Urbanczyk and Leslie Hopper).

President Morgan announced \$2 million in funding from the Department of Defense (DOD) for the analysis of a deployable, aqueous, aerobic bio-reactor (DAAB) for treatment of waste water, which can then be returned to the environment. Sul Ross and other universities in the Texas State

University System would be involved in testing the water quality. The project has applications for the military and for water disaster areas along the border and the Colonias. *President Morgan* stated that the University supports the goals and mission of the GNEB and offered the University as a resource for environmental work along the border.

Mayor Mickey Clouse welcomed members to Alpine and the Big Bend area of Texas and thanked the Board for listening to the area's concerns. Major concerns are health care in rural hospitals, emergency preparedness, border security, Mexican trucks and NAFTA truck provisions, wildlife and vegetation protection, and homeland security.

County Judge Val Clark Beard of Brewster County strongly stressed the benefits of clean air and water and protection of the environment in the Big Bend area that were agreed upon by all residents despite their diversity. The major concerns are water, clean air, light pollution, open space preservation, sustainable agriculture, tourism, outdoor recreation, and air pollution from truck traffic in downtown Alpine due to La Entrada al Pacifico from Chihuahua, Mexico. All of these concerns either depend on or affect a healthy environment. *Judge Beard* invited the GNEB to become part of the constituency that includes local residents and visitors who want to protect the environment in the Big Bend area.

Chair Ganster thanked the local officials and presented each of them with a certificate and a GNEB pin. *DFO Koerner* then asked everyone to introduce themselves. After the introductions, *Chair Gangster* introduced the first keynote speaker, ***Dr. Ernesto Enkerlin, President, National Commission on Protected Areas of Mexico.***

Speaker Presentations

First Keynote Speaker

Dr. Ernesto Enkerlin, President, National Commission on Protected Areas, (CONAP) Mexico, described the National Commission for Protected Areas, its accomplishments, protected areas, international standing, and mission to protect, manage and restore the environment in Mexico. CONAP is the only federal-protected area agency in Mexico; its responsibilities cover 50 million acres in 158 protected areas that include marine parks, biosphere reserve, wildlife refuges, and sanctuaries. A major difference between CONAP and other national agencies is their coverage of 2,000 rural, indigenous, and high poverty communities for whom CONAP represents the government. The protected areas provide opportunities to improve human welfare, mitigate the effect of hydrological, meteorological or natural disasters, and protect the genetic resources of the county.

Slogans for the three basic concepts of protection, management, and restoration are: to preserve and prevent with protection, to use and maintain through management; and to recover and retribute through restoration. [***PROFEPA***] provides the law enforcement capabilities, which started with Inspeccion Vigilancia covering 12 percent of the protected areas, and has grown to cover 85 percent. A major effort with ***PROFEPA*** is the establishment of community-run protection committees which work on conservation and protection against illegal activities.

Dr. Enkerlin outlined many of the projects that are covered in the six-year report as follows:

- Improving the supply of fresh water to the fisheries and wetlands of the upper Gulf of California
- Developing eco-tourism that respects nature and benefits both the state and localities.
- Initiating a program of sustainable rural development in 2,000 communities
- Restoring the environment along the Rio Grande
- Maintaining the natural environment, such as the mangroves, which protected the Sian Ka-an Biosphere Reserve in Quintana Roo from damage due to Hurricane Wilma
- Practicing indirect conservation through knowledge, investigation, recovery of traditional knowledge, and preservation of culture through programs such as National Conservation Week, education of school teachers and children, and Cine Minutos in local theaters.
- Preserving priority species such as marine turtles by releasing 150 million turtles into the world seas
- Certifying private landowners who practice conservation on their property and offering financial incentives.

Dr. Enkerlin reviewed the progress in the percentage of land that has been restored over the five years, starting with 5.7 percent and increasing to 60 percent. The percentage of agency-covered land with management plans in place increased from 42 percent to 70 percent. Protected areas has grown from 1.3 million hectares in 50 protected areas to 17 million in 127 protected areas. The growth has been sustained by collecting fees for access to protected areas. Mexico has also achieved recognition for the fourth largest number of species, the second largest number of ecosystems, and second in the number of RAMSTAR-designated sites. The number of biosphere preserves has also increased and Mexico is second only to the United States in the incorporation of new sites. The long term plan is to increase the number of World Heritage sites to 15.

CONAP's mission is to gain recognition for their priority sites on an international scale as a model for conservation. In order to achieve this end, it is necessary to work with rural communities, private landowners, and states and local communities in the co-management of the environment. In Mexico, the agency has multi-partisan support and is working with the transition team of President-elect Calderon on his priority to support the protected areas by increasing personnel by 15 percent, making better use of protected areas, promoting eco-tourism, and increasing management resources. *Dr. Enkerlin* closed by stating that the U.S. and Mexico should work together on their shared border environment to achieve sustainability.

In response to a question from *Rosario Treviño* about a 1942 Agrupación Sierra Madre resolution to establish a bi-national Big Bend Park, *Dr. Enkerlin* said that there are two new protected areas along the Mexican side of the Park: the Rio Bravo del Norte and the El Campo. The land is privately owned, so financial incentives may be needed.

Second Keynote Speaker

Russ Whitlock, State Coordinator, Texas National Parks, National Park Service (NPS), reviewed the recent change in leadership by announcing that ***Mary Bomar*** is the new Director of NPS replacing ***Fran Mainella***, who recently resigned. *Mr. Whitlock* was the Chief of Staff at NPS for two years and the superintendent of the Lyndon B. Johnson National Historical Site. The NPS has been working with protected areas and partners with Mexico for over 70 years. The NPS agreement with Mexico's National Commission on Natural Protected Areas produced the Sister Parks program, including Big Bend, Maderas Del Carmen, and Cañon de Santa Elena. *Mr. Whitlock*

reviewed other joint projects on such projects as invasive species, firefighting, joint training, biological inventorying, collecting data on wildlife and plant species, and air and water quality monitoring.

In the future, these protected areas hope to identify wildlife movement corridors between Organ Pipe, El Pinacate, and Cabeza Prieta national wildlife refuge, and work jointly on other environmental projects. NPS would like the GNEB to recommend that official representatives on both sides of the Rio Grande be allowed to resume informal border crossings in Big Bend National Park. The restrictions on border crossings since 9-11 have made cooperation difficult.

Some recent progress includes a sister park project between White Sands National Monument and Guadalupe Mountains National Parks, and collaboration between NPS and Mexico's National Institute of Anthropology and History on educational and cultural projects. The two agencies have exchanged technical information, cooperated on research, promoted historical trails, promoted Spanish mission sites, and worked with local communities to establish an historical cultural tourism route between the two countries. This cooperation has benefited the Service by improving management of cultural heritage areas.

In closing, *Mr. Whitlock* said the NPS is committed to continue collaboration and communication on resource conservation. A recent Department of Interior session in Waco, Texas, focused on the same themes mentioned by Judge Beard; now there is a standing order for superintendents to work on engagement of civic organizations communities, and private landowners on the environment. *Mr. Whitlock* opened the session for members to ask questions to the Acting Superintendent of Big Bend National Park, Brad Traver, and his environmental leadership staff.

Questions and Comments

Responders: Brad Traver, Acting Superintendent, Vidal Davila, Jeff Bennett, Physical Scientist, Big Bend National Park

Chair Ganster and *Stephen Niemeyer* asked about the effects of increased border security on joint management, species migration, and local ranchers. *Mr. Traver* answered that a larger issue was the inability of visitors and families to cross over to the other side of the park. Management of the river cannot be done on one side only. *Vidal Davila* added that another problem was Mexican farmers' livestock that was let loose and is damaging the river and the park on the U.S. side.

David Randolph asked whether the Heath Canyon La Linda Bridge was still part of an ecosystem plan or was going to be demolished. *Mr. Davila* thought that the Coast Guard had decided not to demolish the bridge because of a tourism initiative. *Dr. Enkerlin* suggested the need for a special border zoning for international cooperation similar to the agreements on jaguars with Belize and Guatemala that allow border crossing of Mexican Park staff.

Jennifer Montoya asked about the tamarisk removal program along the river and the relationship between the NPS and the Rio Grande Institute. *Mr. Davila* said that NPS was able to fund the Rio Grande Institute to hire Mexican workers through the IBWC who issued the workers special work permits to work along the river to remove the tamarisk. The WWF also provided funding. *Mr. Bennett* added that Mexico has been eradicating the tamarisk for several years. In response to a question from *Ms. Montoya* about the release of beetles to control salt cedar, *Mr. Davila* responded that Big Bend National Park is going to be writing an environmental assessment to release the

beetles within the Park. The U.S. Bureau of Reclamation is funding the study in the Forgotten River section and the beetles will be released this year.

Christopher Brown asked if it was possible to include *Dr. Enkerlin's* recommendation about an agreement on informal border crossings for researchers and Park staff in the current Report or at the GNEB Business Meeting. *Chair Ganster* thought that this suggestion would be discussed the following day. *Mr. Niemeyer* said he was encouraged by all the positive steps toward binational cooperation on cross-border efforts.

Dr. Enkerlin added three items to his presentation: a protected area in Janos for Blackdale Prairie dogs, clean-up of the San Pedro River, and a Monarch Butterfly flyway that includes stepping stones and sanctuaries between Canada and Mexico. In response to a question from DFO *Koerner*, *Dr. Enkerlin* said he was the Chair of the Conservation Working Group of the North American Commission on Environmental Cooperation (CEC) that would be meeting in Cancun.

Jennifer Montoya asked if the Zonas Forestales were under CONAP. *Dr. Enkerlin* said that some forest preserves have been incorporated as flora and fauna protected areas or natural resources protected areas. The "forest preserve" category does not exist under Mexican law, but some of the forest reserves are being registered and protected under new categories. He answered *Ms. Montoya's* query about "Mawawi" by stating that the project was problematic has been reconceptualized, and is now the San Pedro initiative.

Wild and Scenic Rivers Program

Paul Silber, Rio Grande private landowner, provided members background on the development of the Wild and Scenic Rivers management plan. Several ranchers, including himself, purchased Bullis Gap Ranch, in Brewster County, along the Rio Grande, in order to preserve it from development and public recreational usage. Beginning in 1970's, the Texas Legislature, the U. S. Congress, and the National Park Service wanted to designate, first the Guadalupe River, and then the Rio Grande as Wild and Scenic Rivers to prevent the land from being developed into condominiums. The landowners opposed these designations because of the principle of private property rights defined as "It's my land, not yours." The major landowner concern was the government's right of eminent domain, which could effectively deprive them of their property. The landowners maintained that they wanted to preserve the land as wild and scenic, but not lose their property rights.

After 25 years of legislative proposals and political wrangling between the National Park Service and the landowners, who successfully defeated the Park Service's management plans and legislation for certain sections of the Rio Grande as a wild and scenic river, the NPS created the Rio Grande Partnership Team to develop a management plan with participation from landowners.

In 2000, at a two-day meeting in Sanderson, Terrell County, the landowners met with the NPS, under the leadership of Attila Ballity, NPS project manager. The subsequent discussion revealed that the two sides were in agreement on the need to preserve the river, but only if the NPS would give up the right to eminent domain, which it was willing to do. The factors that allowed an agreeable management plan and contracts to be developed included:

1. The landowners realized that they needed NPS to help protect their land.

2. Without eminent domain, NPS could not subject land owners to unwanted regulation.
3. The river could only remain wild and scenic if traffic was limited by NPS to historic numbers.
4. The NPS rules and regulations would apply to the public, but not to the landowners on their own lands.
5. With a contract, the NPS could not change the rules to implement a different plan.

Mr. Silber summarized the provisions of the contracts with landowners, which essentially allowed NPS to have access to private lands in perpetuity for the purpose of enforcing NPS rules for public access. Next, the management plan needs to be agreed to by Mexico, upstream canyons need to be included, and the U.S. and Mexico need to establish a river corridor in which each party will implement its own laws and regulations. *Mr. Silber* added that illegal immigration and drug traffic threaten public safety along the river. *Mr. Silber* praised the NPS leadership under Park Superintendent *Frank Deckert* for using a consensus-building approach to land management.

Chair Ganster asked *Ernesto Enkerlin* what Mexico could do to protect the river. *Dr. Enkerlin* responded that a decree to designate 500+ miles of the Rio Grande as a natural monument is being finalized. The decree will be done under the Law of Ecological Equilibrium and Environmental Protection in Mexico regarding protected areas and natural monuments (LGEEPA, Spanish acronym).

Michael Dorsey asked *Mr. Silber* to expand upon the drug trafficking problem on private property and how they would be held responsible by the Drug Enforcement Agency (DEA). *Mr. Silber* described how illegal persons would cross the border with 50-pound packs of drugs and then ask ranch foremen to transport them back to the border, which could implicate ranchers in drug trafficking. At present, landowners are armed when they patrol their ranches to protect themselves. The land is too remote to get effective help from the Border Patrol.

Ms. Montoya praised the NPS for using a unique, flexible approach tailored to social and environmental conditions. *Mr. Niemeyer* questioned why the population could not be controlled by the NPS. *Mr. Silber* responded that due to the growth in population and the popularity of the parks the demand on resources may be too great. *Mr. Edlund* promised that he would take this example of cooperation back to the EPA. *Mr. Silber* responded that EPA might not like part of the agreement that prohibits NPS from conducting surveys or studies without the landowner's consent. He expressed some resentment over the Endangered Species Act—specifically about the Golden Creek Warbler and rules about clearing salt cedar. *Mr. Silber* said that the NPS effort to find a regulation that supported the landowners view was a perfect example of a can-do rather than a can't-do approach.

Mr. Silber responded by recognizing *Jennifer Atchley* (now *Montoya*) for her help.

Regional Water Planning and Water Availability

Tom Beard, Chair, Far West Texas Water Planning Region, opened the topic of water planning by describing an effort, called Rio Nuevo, to take groundwater from Far West Texas and transport it downriver via the Rio Grande to potential buyers, including farmers, cities, or even Mexico. This method would destroy the desert areas and would lose 80 percent of the water due to evaporation.

Under the present Texas laws, including the Rule of Capture, owners downstream and water districts could not stop this drainage of water resources. Recently, the Texas General Land Office released a request for proposals to produce, transport, and market waters from state lands, primarily from Far West, Texas.

Regional water planning has developed out of a realization that state water planning was inadequate. In 1997, legislation was proposed by then Lieutenant Governor Bob Bullock to address severe drought problems. The 16 regional planning groups' members represent economic and political interests who are knowledgeable about the area. Each regional group develops a 50-year plan that is revised every five years and is based on future water demand, water supply, and water allocations. Increasingly, the regional water plans have been subject to state demands for information and allocation formulas determined by the state demographer and the Texas Water Development Board. The main problem is that regional plans have no enforcement provisions.

Another major problem is that although the State of Texas has the right to regulate, allocate, and control surface water, most of the water is already allocated. Some controversy exists over whether water is ground or surface water. Based on the Rule of Capture, a landowner could legally drill a well that drains all of the groundwater from under his neighbor's land. The Rio Nuevo plan, based on land owned by Texas, could legally drained the water from adjoining ranchers land. Groundwater districts can set some requirements, but most do not have the data to back up their requirements. *Mr. Beard* feels that regional water planning is the best way to manage water despite the Rule of Capture which was adopted by a court ruling of the Texas Supreme Court in 1906 and is based on English Common Law.

Mr. Beard said his regional water planning group has submitted a request to the Water Development Board for about \$500,000 to begin testing some wells to determine water draw-down, recharge, recovery rates, and the effect on nearby wells.

Water availability estimates include supply, demand, locations, allocations, and strategies to meet the need, but most of these estimates were done by localities in a vacuum. Regional water planning groups can advise and suggest ideas and bring new tools such as water availability models for rivers and ground water which, when perfected, could help groundwater districts and localities do rational planning.

Mr. Stefanov asked if regional water planning was addressing in-stream flow issues. *Mr. Beard* thought that both the Texas legislature and the regional groups would need to address in-stream flows and environmental use in the next few years. *Carlos Rincon* asked if water quality was included in the planning. *Mr. Beard* acknowledged that every water management strategy has to include a water quality and cost analysis. This was an issue in El Paso's plan to use desalinization to increase the water supply.

Christopher Brown suggested using an environmental water district to lease in-stream water rights from agricultural rights holders. *Mr. Beard* agreed that a mechanism needed to be in place to regulate in-stream effects. If a city, like El Paso uses river water and puts treated water back into the river, the in-stream effects need to be evaluated. Monetary allocations need to be provided to purchase water rights to maintain the in-stream flow.

Public Comment Session

DFO Koerner opened the afternoon session by stating that the meeting was now open for public comments on GNEB issues and on the Tenth Report to the President and Congress as published in the Federal Register. Four people had signed up to make public comments.

Aimee Roberson, U.S. Fish and Wildlife Service (FWS) discussed the Rio Grande Silvery Minnow, an endangered species that FWS is trying to re-establish in the Big Bend reach of the Rio Grande. The recovery plan identified three goals: to stabilize the Minnow populations in New Mexico, to protect the habitat within its range, and to re-establish the Minnow in its other historic areas. The proposal is under section 10 (j) of the Endangered Species Act (ESA) that allows establishment of experimental populations. The section can reduce the ESA-related requirements and ensure that there will be no adverse impacts.

One of the items to improve the habitat is the removal of exotic species, such as salt cedar, which will also help to restore the river's ecosystem. A preliminary draft of an environmental assessment, an implementation and monitoring plan, and a proposed rule are under review in the FWS regional office and will be available to public comment in 2007. Some of the partners in this effort include, IBWC, Big Bend National Park, National Park Service, USGS, Bureau of Reclamation, Texas Commission on Environmental Quality, Texas Department of Agriculture, Texas Parks and Wildlife Department, Texas Water Development Board, the Texas Farm Bureau, the University of Texas, the World Wildlife Funds, the Far West Texas Regional Planning Group, and the Rio Grande Institute.

Juan Antonio Flores, North American Development Bank (NADBank), explained that NADBank and its sister organization, the Border Environment Cooperation Commission (BECC), were U.S./Mexico binational institutions created to finance and develop environmental infrastructure along the U.S./Mexico border. *Mr. Flores* thanked the GNEB and other groups interested in the border community for supported BECC and NADBank in their endeavors through letters and comments to public officials in the U.S. and Mexico. The Bank is involved in 95 infrastructure projects with approved financing of about \$2.5 billion dollars. More than half of the funds come from the Border Infrastructure Fund provided by EPA and appropriated by Congress on an annual basis.

Currently, there are \$240 million in loans approved and another \$137 million for 22 projects will be presented to the Board of Directors for their approval. The largest loan is \$28 million to the City of Monterrey, Nuevo Leon for a citywide, industrial water reuse program. The rate of disbursing money has improved as 84 percent of approved monies have been contracted and 63 percent have been disbursed on a reimbursement basis for completed construction. For example, over 11 million people will benefit from 40 wastewater treatment plants, 17 of which are in communities which had no wastewater treatment services.

To reduce air pollution, nine street paving projects of over 9 million square meters is being financed in Mexican cities such as Rosarito, Tecate, and Ciudad Juarez. Technical assistance for improving governance in local communities is being provided through 207 studies. Training of utility employees to conduct surveys, funding management information systems, and doing rate studies would increase professional capacity in the future. Long-term sustainability of these utilities by recouping costs of services is the ultimate goal, but grant money will be a necessary catalyst. The

Border Environment Infrastructure Fund has diminished from \$100 million annually to \$30 million for FY 2008.

Questions and Comments

Carl Edlund told members that at a meeting with President Bush, EPA's Deputy Administrator, Marcus Peacock, was able to state that one of the environmental successes was the hookup of clean water or sewage service for 50,000 people along the border due to the work of NADBank and BECC.

Leslie Hopper, Rio Grande Research Center, Sul Ross State University, described the Sustainable Agricultural Water Conservation in the Rio Grande Basin Project as a federally-funded research project under the USDA at the University and throughout the Texas State University System. The projects include modeling of groundwater resources, surface quality investigations, resource utilization investigations, and water reclamation. Education and outreach includes curriculum development for K-12 that teaches stream-side science and water quality.

Kevin Urbanczyk, Chair, Department of Earth and Physical Science, Sul Ross, spoke as the Project Director on a USDA Rio Grande grant, that is related to sister projects out of the Texas Water Resources Institute, Texas A & M, New Mexico State University, and the New Mexico Water Resources Institute. The Texas State University System is focused on obtaining funds from the United Nations Global Environment Fund (GEF) for research on the Rio Grande. Another project is the Deployable Aqueous Aerobic Bio-reactor (DAAB) to test the functionality of portable wastewater treatment plants funded by the DOD.

Christopher Brown commented that recommendations from the Rio Grande Basin Summit convened by IBWC and [CELA??] could provide a starting point for the GEF consortium.

Sally Spener added that the IBWC U.S. Section is involved in the Minnow restoration project and recently met with their Mexican IBWC colleagues and Mexican Natural Protected Areas staff to enhance the international aspects and cooperation on this type of project. She noted that the Mexican bureaucratic structures are not the same as those in the U.S., which is a challenge to binational cooperation in the border area.

Chair Ganster said that the GNEB did not control the purse strings, but could make recommendations based on growing research knowledge and the capacity in BECC and NADBank, and the universities. *Chair Ganster* introduced the next speaker, *David Schanbacher* as a leading expert on air quality in Texas and who had spent several years with the chemical and oil and gas industries.

Speaker Presentations

Regional Haze in Texas Big Bend Area

David Schanbacher, Chief Engineer, Texas Commission on Environmental Quality (TCEQ), said his department covered State Implementation Plan (SIPs) on clean air, TMDL (Total Maximum Daily Load) water quality and compliance, Bays and Estuaries, and toxicology. He introduced *Margaret Earnest*, a colleague who was available to help answer questions on air quality. *Mr. Schanbacher* described regional haze as consisting of small atmospheric particles, sulfates, nitrates,

organic carbon, black carbon, and soil dust, which absorb and scatter light. Particles travel thousands of miles, so it is a national and international problem. Much of the pollution comes from the production, burning, and usage of organic or fossil fuels or substances.

Some legislative and regulatory steps taken to reduce emissions include:

- In the late 60's, Texas adopted rules to address emissions that reduce visibility.
- In 1972, a new source review program mandated that new air pollution sources had to get an air quality permit and meet the Best Available Control Standards.
- In 1999, Texas Senate Bill 7 deregulated the utility industry, but enabled the state to request that facilities that had not gone through the permitting process to cut their nitrogen oxide emissions by 50 percent and their sulphur dioxide emissions by 25 percent.
- The Texas Emission Reduction Program (TERP) gives grants and financial incentives to companies that buy cleaner equipment and retire dirty equipment. The Federal Government regulates mobile sources of pollution, but locomotives and trucks who operate in the impaired areas have received funding from Texas.

Federal legislative programs regulated by EPA that affect Texas include Re-formulated Gasoline (RFG) to reduce ozone, Clean Air Interstate Rule (CAIR) to reduce power plant reductions of SO₂ and NO_x, and the 1999 Federal Regional Haze Rule to improve visibility in national parks and scenic areas using the Best Available Retrofit technology (BART). The CAIR regulations should help reduce air pollution in Texas coming from other states and vice versa. Texas has made good progress in reducing NO_x emissions since 2000 and CAIR will help lower SO₂ emissions in Texas. *Mr. Schanbacher* discussed the U. S. and Texas reduction goals for SO₂ by 2010 and 2015, those for NO_x in 2009 and 2015. All old and new plants are covered under the cap, but plants can buy allowances from other states.

To reduce haze under BART, Texas pre-screened and modeled 120 sources for particulates and about half of them were required to do further work to determine if they are subject to BART rules. Each facility subject to BART would have to do an engineering analysis and plan to reduce pollution using Federal criteria. The plans would be reviewed and approved by TCEQ and then sent to EPA for approval. The overall goal is to reach natural background visibility by 2064.

In Texas, regional haze needs to be decreased by 16 to 18 deci-views (an EPA visibility measure). Texas works with other states in the middle of the country through the Central States Regional Air Planning Association (CENRAP) to model the amount and sources affecting regional haze. Particulate matter in the air includes both chemicals and soil and these are affected by weather patterns. Texas has many monitors that measure the particulate matter coming into the state. The regional haze SIP is due in December, 2007. The BART rule was proposed to the three-member TCEQ Commission in 2006, presented for public comment and would be revised by TCEQ and forwarded to the Commission for adoption in January 2007.

Mr. Schanbacher suggested members look at the EPA Regional Haze Rule website, subscribe to the TCEQ ListServe, look at the TCEQ website, and provided his email address for further information.

Questions and Comments

Vidal Davila, Big Bend National Park, asked if the modeling had been done to determine if the new coal-fired plants would affect the Big Bend Region. *Mr. Schanbacher* answered that new plants are subject to the cap and there is an incentive not to buy allowances on the open market. *Margaret Earnst* replied that EPA's estimate of future emissions is used for new power plants. *Sally Spener* asked if reductions would have to come from existing plants. *Mr. Schanbacher* said that since the cap was exceeded now, reductions would have to come from existing coal-fired plants some of which are at the same sites and new plants.

Chair Ganster asked: What percentage of haze-causing pollutants comes from Mexican sources? *Mr. Schanbacher* estimated roughly one-third, but TCEQ is focused on Texas sources. *Stephen Niemeyer* commented that Mexico has a big problem in the Monterrey area, but may find it difficult to worry about clear views when they have so many social and environmental problems.

Carl Edlund commented that having two systems to quantify pollution—SIPs and EPA's CAIR—makes it difficult to estimate impacts, especially with trading of emission credits. *Mr. Schanbacher* responded that financial incentives should reduce the need to buy caps. The Electrical Reliability Council of Texas (ERCOT) is an electrical grid inside Texas that limits the transmission of power outside Texas and due to a limited demand older plants could be shut down in favor of new cleaner plants.

Douglas Smith asked if the reduction in SO₂ and NO_x related to the reduction in hazy days. *Mr. Schanbacher* did not have that information, but thought that SO₂ reductions should be greatly affected by the new rules because most of the coal-fired plants did not have to meet the 25 percent reduction under Senate Bill 7 in 2000.

In response to a question from *Mr. Bennett* about mercury emissions, *Mr. Schanbacher* said that mercury is covered under the Clean Air Mercury Rules, which should help to reduce elemental mercury from lignite or sub-bituminous coal burning plants. Oxidized mercury is regulated under CAIR. New technology to reduce mercury should be available by Phase 2.

Changing Physical Template of our Shared Rivers

Jack Schmidt, Professor, Utah State University, described his background in management of large river systems, such as the Colorado River, the Green River, and the Snake River, and the effects of water resources on endangered species. Restoring the big national and trans-national rivers is serious public policy. Decisions made on changing operations of dams and rivers affect water and electric resources and the environment downstream. Targets for restoration have to be viewed from the standpoint of the whole watershed. For example, the Rio Grande in the Big Bend region is affected by the Rio Conchos as well as agricultural and recreational developments.

Dr. Schmidt illustrated the changes in the Rio Grande with a series of slides comparing the 1937 photos with today. Present management and uses have changed the river from a wide, braided sandy river to a much narrower channel overgrown with vegetation. The width in some sections has narrowed by four or five meters in the last three years. Water quantity and flow and the changes in

sediment determine the size of a river channel, its aquatic habitats and its flood plain, and other ecological effects.

The first major block of irrigation diversions was in the San Luis Valley of southern Colorado and this caused water supply problems in the late 1800s for Mexico. Prior to 1915, irrigation diversions in central New Mexico and El Paso reduced the amount of water entering the Rio Conchos. In 1916, a large dam was built on the Rio Conchos River in Mexico. These dams controlled flood waters and provided water for agriculture, but lowered the mean flow of water in Big Bend National Park. Between 1932 and 1940, the flow at the Presidio was zero. *Dr. Schmidt* illustrated the effects on the average river flow from 1900 from human efforts to control water. The flood regime that used to reshape the channel has dwindled to almost nothing. Sedimentation and non-native plants have increased the banks and narrowed the river.

Dr. Schmidt posed a major question of whether the present hydrological system should be accepted or reversed. The steady release of water from the dams on the Conchos does the most damage to aquatic in-stream habitats. He will provide advice to the NPS, the IBWC and the State Department to help them determine which flow regime would be best to meet water management objectives and values for Big Bend National Park.

Questions and Comments

David Randolph asked how an extraordinary drought or a lack of hurricanes would have affected the water level in the last decade. *Dr. Schmidt* agreed that if there were no hurricanes and long periods of drought, they would affect the water levels in the Rio Conchos, but the long-term averages are more affected by human diversions.

Jennifer Montoya asked if the volume of water coming out of the Rio Conchos was about the same as the upper watershed before 1915. While a lot of people say that the “Forgotten River” went dry anyway, World Wildlife Fund research indicates otherwise. *Dr. Schmidt* said the USGS gauging data shows a lot of water coming out of that part of the river prior to 1915. The Rio Grande has a history of channel changes on the U. S.-Mexico border and changes due to drought and extreme floods, but the current river’s condition is not mainly due to these types of causes.

Mr. Niemeyer commented that between 1995 and 2004 there was water in the reservoirs on the Conchos, but the Mexican government choose not to release it. In the 1950’s, Mexico delivered 350,000 acre-feet of water to the U.S. every year, but Mexico uses the water for its own purposes. Also, during late summer, huge floods occurred in El Paso/Juarez, but very little water reached the Big Bend stretch. *Dr. Schmidt* added that unless the river channel is changed to a wide, shallow channel, the Silvery Minnow will not be restored.

Controlling Invasive Plants along the Rio Grande

In introducing the next speaker, ***Mark Briggs, World Wildlife Fund (WWF), Chair Ganster Mark***, reminded members that GNEB had sent a comment letter to the President and Congress regarding invasive species along the Rio Grande.

Mark Briggs discussed his work as a consultant on the control of invasive species such as salt cedar in Big Bend and gave a brief introduction to the GNEB field trip to Boquillas Canyon on Wednesday. He described salt cedar, *Tamarix ramosissima*, as a plant native to Northern Africa

and Eurasia that was introduced into this area in the 1930s and is successfully out-competing native species and choking several major rivers in the Southwestern U.S. and northern Mexico. *Mr. Briggs* illustrated the effect of salt cedar on several rivers with a series of slides.

The salt cedar impact is mainly due to the changing hydrological regime of the affected rivers. The building of dams, such as Elephant Butte on the Rio Grande in New Mexico, changed the timing of the river flows and affected the seed-producing of cottonwoods and willows that depended on a heavy spring flow. Salt cedar is perfectly adapted to the changes in flow caused by the dams and a higher level of salinity. The overgrowth of the salt cedar has resulted in a huge biomass, not previously known from native plants, and an increase in water usage from plant growth and evapotranspiration.

Destroying the plants to increase water for downstream users might only work for the short run and may have unintended consequences such as increasing evaporation from cleared areas, lack of water savings because plants grow outside of the river areas, various effects on wildlife habitat, and sedimentation effects. Research has shown that a mixture of salt cedar and native species provides a high quality wildlife habitat. There is a variety of tools available for removing salt cedar such as machetes, aerial spraying, herbicides, and the leaf beetle, but objectives and plans need to be carefully considered to ensure positive effects. Plans need to identify clear objectives, consequences, best locations, strategies, and the effect of managing flow releases in a more natural manner, and monitoring of long-term effects.

There are two pilot projects for removal of salt cedar and a giant reed—one in Colorado Canyon Boquillas and one in Boquillas Canyon. Another objective is to re-establish native plants, such as desert willow, huisache, acacia, and mesquite. Irrigation techniques were used to help establish 600 native plants. Cutting and herbicides were used to destroy the cedar and the giant cane. The projects are costly and affect small areas of five to ten acres. The Boquillas Canyon project was a joint project with PROFAUNA, using trained Mexican workers. The major benefit of small projects is they are tangible and people can see progress and then become supportive and politically active in encouraging long-term ecological and hydrologic changes for the benefit of the environment.

Michael Dorsey asked about (1) long-term cost benefit analysis, (2) re-growth, (3) effects on birds, (4) commitment from Mexico, and (5) long-term commitment. *Mr. Briggs* said that no cost benefit analysis was being done, but some other projects have data relating planting to wildlife use. Re-growth would be mitigated or prevented if the native species survive and success may depend on better water flow. The Southwestern Willow Flycatcher can use willows to nest in and is not native to Texas. The World Wildlife Fund and the Rio Grande Institute are pushing the IBWC to provide temporary work permits to workers on both sides of the river. Follow-through is planned, but it depends on funding.

Mr. Stefanov asked about the recent signing by President Bush of the *Cedar/Russian Olive Control Act*. *Mr. Briggs* thought the funding could be helpful if careful planning was done. *DFO Koerner* asked if there were public education programs to help people understand the benefits of non-native species removal, since the pictures make them look beneficial. *Mr. Briggs* responded that information kiosks and videos were available for park users, and that the WWF is providing information to newspapers and journals. *Mr. Davila* added that a video was being produced to distribute to Federal land-management agencies, state and local governments, and a wayside exhibit was placed at Boquillas Canyon trail.

Adjournment: There being no further business, the meeting was adjourned at **5:28 p.m.**

Day 2: Thursday, October 26, 2006

(9:37 a.m.)

Business Meeting

Board Members Present: *Paul Ganster, Ph.D., Chair, Christopher P. Brown, Ph. D., Michael P. Dorsey, Edward Elbrock, Jennifer A. Montoya, Stephen M. Niemeyer, P.E., David Randolph, Douglas S. Smith, Robert Varady, Ph.D., Ann Marie A. Wolf*

Federal Members/Alternates/Team Members Present: *Carl Edlund, Gary Robinson, Sally Spener, James Stefanov, Carlos Rincon, Ph.D.,*

EPA/OCEM Members Present: *Rafael DeLeon, Elaine M. Koerner, DFO, Geraldine Brown*

Welcome

Elaine Koerner, DFO, opened the business meeting of the Good Neighbor Environmental Board (GNEB) by stating the importance of this business meeting in selecting the next year's meeting sites and the Eleventh Report theme and topics.

Approval of Minutes from the July 18-19, 2006 Meeting

Chair Ganster said that the last meeting minutes were well done, quite complete, and reflected the intense discussions. He asked for approval of the minutes of the San Diego, July 18-19, 2006 meeting with minor corrections to be sent to *DFO Koerner*. *Stephen Niemeyer* agreed with *Chair Ganster* but asked whether *Linda Lawson* was at the meeting either day and if *Rosario Marin* was present on the first day. *DFO Koerner* said she would check the records, but that names are checked against the registration lists. *Dr. Brown* moved and *Mr. Niemeyer* seconded the approval of the minutes. The minutes were approved unanimously with minor corrections to be forwarded to *DFO Koerner*.

Invitations for Public Input on the Tenth Report Draft Recommendations

DFO Koerner announced that the meeting was open for public comments on the GNEB Tenth Report to the President and Congress. There being no public comments, *DFO Koerner* noted a change in the timeline from October 20 to 22, 2006, and then suggested guidelines for the review process. She thanked board members for their excellent input on the draft report. Their suggestions were incorporated in an interim report which was sent to the Board on Sunday evening. *Chair Ganster* would act as editor for the first part of November and would incorporate comments received by November 3, 2006. The written consensus process should be completed by November 24, 2006.

In early December, the official consensus will be obtained through a teleconference of Board members. The business report still needs to be written. The goal is to have a printer-ready version to EPA by January 5th, 2007. This would provide time for senior Administration officials to receive the Report before its release to the public at the March GNEB meeting. *Chair Ganster* asked *David Randolph* if he would review the Spanish translation.

Jennifer Montoya asked *Gary Robison* from the Department of Homeland Security (DHS) if he could review the human crossing section. *Mr. Robison* responded that he would comment on the report from the standpoint of the Office of the Border Patrol and DHS. *Chair Ganster* thought that some of the ideas from this meeting could be incorporated. He reminded members that their input was important, but that additional departmental approvals were not necessary. *Mr. Randolph* hoped that it would be possible to adjust the report in light of Congressional actions in regard to border fencing. *DFO Koerner* thought that the Introduction section could add some caveats as to the timing of the final written report. *Mr. Niemeyer* added that even though he had recused himself from *Dr. Brown's* comment letter, in the past week, Governor Perry announced his opposition to fencing in the border areas except on either side of major cities.

DFO Koerner asked for specific fixes to the report, if needed, but not minor edits, as the report editing would be done by a contractor. She asked members to review text that had been deleted because it was objectionable to some board members. The goal is to use language that is agreeable to everyone. The report, as written, is too long and *DFO Koerner* asked if the Hazardous Materials Crossings introduction could be shortened. *Mr. Niemeyer* said he would edit that section with approval of the work group. *DFO Koerner* thanked workgroup members and their leaders, *Jennifer Montoya*, *Christopher Brown*, and *Stephen Niemeyer*.

Selections of Locations and Dates for 2007 Board Meetings

Chair Ganster stated the need for determining the meeting locations, dates, and planning groups for the 2007 GNEB meetings—a March meeting in Washington, D.C. and two border location meetings in the Summer and Fall. *DFO Koerner* suggested March 13-14, 2007, for the Washington, D.C. meeting to coincide with the U.S./Mexico Chamber of Commerce meeting on March 13, 2007, and provided the date did not conflict with other meetings. The meeting dates of other meetings such as BECC/NADBank, appeared to be uncertain, except for the Border 2012 National Coordinators meeting which was in early May. The GNEB meeting dates should be spaced three months apart and would need to be separated by two weeks from other Office of Cooperative Management (OCM)-staffed meetings such as the Governmental Advisory Committee (GAC), the National Advisory Committee (NAC), and the National Advisory Committee on Environmental Technology (NACEPT).

Other criteria for OCM/EPA discussed by *Rafael DeLeon*, *DFO Koerner*, and Board members included the costs of three-day meetings, ease of transportation, casual dress for summer meetings, availability and timing of field trips, volunteers for planning, facilities, public access for open meetings, and outreach to Native Americans. *OCM Director DeLeon* said that budgetary concerns would limit the group to one three-day meeting and two two-day meetings. Also, the government establishes contracts with airlines for the best available fares, so these have to be adhered to for transportation.

After considerable discussion, the following meeting times and dates were determined:

Washington, D.C.: Tuesday, March 13 and Wednesday, March 14, 2007

Brownsville, Texas: Tuesday, July 24 and Wednesday, July 25, 2007

Las Cruces, New Mexico: Wednesday, October 3, and Thursday, October 4, 2007

The planning group members and conference call dates and times for each group was decided as follows:

- Washington, D. C. planning meeting members: Elaine Koerner, Rachel Poynter (State Department) Gary Gillen.
Washington, D.C. planning meeting conference call: Tuesday, November 28 at 3:00 p.m.
- Brownsville Meeting committee volunteers: Carlos Rincon, Stephen Niemeyer, Sally Spener, James Stefanov, and possibly Karen Chapmen, former GNEB member.
Brownsville Meeting conference call: Friday, November 3, 3:00 p.m., Eastern Standard Time.
- Las Cruces, New Mexico planning committee members: Jennifer Montoya, Edward Elbrock, Christopher Brown, Carlos Rincon, and a staff member from Secretary Curry's office. (Planning conference calls dates and times to be determined.)

For the length of meetings, the Washington DC meeting would a two-day meeting, and the Brownsville meeting would be a two-day meeting, with a field trip and a business meeting on the second day. The Las Cruces meeting could be a three-day meeting which would allow for field trips to more distant locations.

Field trip suggestions for the border locations in the Brownsville area included irrigation systems, sugar cane cooperatives, and wildlife refuges. Field trip suggestions for the border locations in the Las Cruces area included Santa Teresa Port of Entry, hurricane effects in the Valley, and the Malpai Borderlands Group.

For 2008 Board meetings, *Ann Marie Wolf* suggested Yuma, Arizona, for the fall meeting, and *Edward Elbrock* suggested Playas, New Mexico, because the DHS has a training facility there with conference and meeting facilities.

Membership Status

DFO Koerner brought up some membership issues related to re-appointments and length of service. Both Federal and Non-Federal Board appoints are for two years and several members first and second, two-year terms would be expiring before the next meeting. She thanked the following members whose second two-year terms were expiring: Douglas Smith, Amanda Aguirre, and Ken Ramirez. The following members' first terms would be expiring: Stephen Niemeyer, Gary Gillen, David Randolph, and Ann Marie Wolf. *DFO Koerner* thanked them all for their contributions and asked if anyone had comments.

Douglas Smith thanked Paul Ganster and Elaine Koerner for their leadership in keeping everyone focused and on track in view of the different interests and opinions. *Mr. Smith* added that Sony would pursue their corporate responsibility and would help to find a representative from the manufacturing sector. *Dr. Varady* asked if there was a rule about attendance, because he had not

met one of the members in three years. *DFO Koerner* responded that board members could be removed for lack of attendance, but that it was complicated to remove someone and replace them; however, she would try to enforce the rules in the future.

In response to a question from *Dr. Brown*, on the criteria used for membership, *DFO Koerner* said the EPA Administrator makes decisions on appointments and re-appointments using a very complex set of factors, including attendance, expertise, and group or departmental representation.

Board Member Report Outs

U.S. Department of Interior: James Stefanov, USGS, reported on several mapping updates:

- Border Health Project has extended data sets in the areas of land cover, land use, medium resolution, hydrography, transportation, watersheds and populated places. These data sets are available on an internet map service.
- In the Lower Rio Grande Valley, data from U.S. and Mexico has been integrated into a single data set.
- Geospatial data from INEGI (National Institute of Statistics, Geography, and Data Processes) is now free and INEGI and CAN (National Water Commission) are updating watershed data on the Mexican side of the border.
- The Southwest Consortium for Environmental Research (SCERP) and USGS signed an agreement to cooperate on a border-wide Geographic Information System (GIS). The USGS is updating border image maps for the IBWC to help define the U.S./Mexico international boundaries.

On March 23, 2006, the National Parks Service (NPS) and SEMARNAT (Secretariat of the Environment and Natural Resources) in Mexico signed a joint declaration on seven sister parks. NPS would provide training, monitoring, interpretive materials and some surplus equipment to Mexico, which would help fight invasive species and land fires and would monitor shared species. *Mr. Stefanov* added that the new USGS Director is ***Mark Meyers***, who is supportive of international work.

Arizona-Mexico Commission: David Randolph, Border Coordination Office, reported on a proposal for a hazardous waste landfill in Sonora near the Tohono O'odham Reservation and Organ Pipe Monument. This proposal is opposed by Mexico, the Tohono O'odham Nation, and the Arizona Department of Environmental Quality. The ADEQ administrator has sent a letter to EPA supporting the Tohono O'odham Nation's concerns. ADEQ has received a \$100,000 grant under Border 2012 to clean up solid waste deposited by undocumented migrants in four border counties, the Tohono O'odham Nation, and the Cocopah Nation.

New Mexico State University: Christopher Brown, Ph.D., reported on several research projects at his laboratory at New Mexico State University including:

- A contract for GIS work on bilateral transportation planning project at the border in cooperation with the Joint Working Committee of the U.S. Federal Highway Administration and its Mexican counterpart, Secretaria de Comunicaciones y Transporte.

- A Border Infrastructure Needs Assessment starting next year and a Border GIS Infrastructure Project for SCERP to be finished at the end of the year.
- A letter of intent to submit a proposal for a Flood Risk Assessment Project for the Paso del Norte was accepted. The work will be done in conjunction with Gilbert Anaya, IBWC, and Jean Parcher, USGS.
- The binational GIS data work of SCERP and USGS was featured at the Binational Summit in El Paso, with 35 of 75 attendees from Mexico.
- The web GIS data is being used for water resource data in work with the Paso del Norte Watershed Council on a binational GIS database project.
- A U. S. Department of Agriculture project on cost-sharing mechanisms of binational waste water treatment plants at the border.

Texas Commission on Environmental Quality (TCEQ): Stephen M. Niemeyer, P.E., reported on four training projects involving the U.S.-Mexico border area, as follows:

1. Workshops for grant applicants of Border 2012 Region VI funds and for EPA grants
2. Training on the new EPA Hazardous Waste Manifest in El Paso, Laredo, and Brownsville on November 2, 8, and 9, respectively, working toward one national manifest and involving Mexican generators.
3. On November 9 and 10, Mexico's Social Development Agency, SEDESOL, will have a conference solid waste management and TCEQ will provide a speaker on municipal solid waste management.
4. On November 14, TCEQ and EPA have invited Mexican hospital and clinic staff to a workshop called *Hospitals for a Healthy Environment* to learn how to manage hospital waste in a safe and efficient manner.

DFO Koerner reported for three Board members who were unable to attend the meeting: **Rosendo Treviño, Department of Agriculture (USDA), Shannon Sorzano, Housing and Urban Development (HUD), and Amanda Aguirre, Regional Center for Border Health, Inc.**

USDA: Rosendo Treviño's report was a description of a Mexican Initiative, a USDA Natural Resources Conservation Service project called "Helping People Help the Land."

Housing and Urban Development (HUD): Shannon Sorzano sent a written report on three projects:

- 1) A Colonias GIS Mapping Project that maps and allocates census statistics to the Colonias along the southwestern border in New Mexico, Arizona, and California. The current phase is to create a web-based mapping and data dissemination tool that will provide access to colonia boundaries and data and will serve as a basis for collaboration and data sharing across Federal, state, and local jurisdictions.
- 2) A Migrant Farm Worker Mapping Project to target and better serve the migrant seasonal farm worker community by mapping their geographical locations. Data is being gathered from the Department of Health and Human Resources (HHS) and USDA's migrant worker housing locations to allow for concentration of services.
- 3) The Hispanic Serving Institutions Assisting Communities (HSIAC), HUD, grants to the University of Texas at Brownsville and Texas Southwest College to create a business incubator to assist in neighborhood revitalization, housing, and economic development. Another HSIAC grant is the Home Ownership and Money Management Education grant to the University of Texas Pan American (UTPA) targeted to families in colonias in the Lower Rio Grande Valley.

Regional Center for Border Health, Inc.: Amanda Aguirre, CEO/President, sent a report stating that she is participating with Governor Napolitano and the ADEQ on the Yuma Asthma Children's Forum. The GNEB's Annual Report was distributed at the Ninth National Promotoras Conference in San Diego, California in August to 300 participants. ADEQ and the San Luis Rio Colorado-Sonora-Yuma, Arizona Binational Health and Environment Council is developing a first year calendar for the border with drawings from elementary school children from both sides of the border. They are also sponsoring a binational training program of volunteer *bomberos* between the cities of Yuma, Somerton, and San Luis Rio Sonora, Mexico. *Ms. Aguirre* participated in the Arizona-Mexico Legislative tour in Sonora with Sonoran *diputados* who discussed border infrastructure and emergency response.

World Wildlife Fund: Jennifer Montoya, U.S. Program Director, discussed the WWF, IBWC Elephant Butte Irrigation District, the Bureau of Reclamation, and the Army Corps of Engineers, who are cooperating on the assessment of alternatives to the management of the canalization portion of the Rio Grande Project covering a 100-mile stretch from the Caballo Reservoir to the American Canal. The project would use a hydrologic model to look at over-bank flooding, which could restore some wetland habitat.

A second project is on water quality and coliform bacteria from animal fecal waste in the Rio Grande River in cooperation with the Paso del Norte Watershed Council under a New Mexico Environment Department grant. The State provided \$150,000 to WWF to reach out to more stakeholders to participate in their Watershed Council. WWF was instrumental in obtaining a promise from Governor Richardson in New Mexico to appropriate \$7.5 million dollars to enhance wildlife values on New Mexico's rivers.

U.S. EPA, Region 6: Carl Edlund, Director of Multimedia Planning and Permitting, repeated the event relating to Director Marcus Peacock and President Bush about 50,000 homes that now had clean water or sewage service. Director Marcus provided a note of thanks and some token cookies to the team who worked on the project, including Carlos Rincon and Gilbert Tellez. In Ciudad Juarez, a million tires have been recycled into fuel. SEMARNAT, the state of Chihuahua, and EPA have provided funds to remove 250,000 tires.

For clean air, and related to the Ninth Report, a new truck stop electrification facility in Laredo was installed to handle about 1,500 trucks, which would cut down idling emissions. Region 6 is celebrating Western Refining's move to produce ultra-low sulfur diesel fuel.

Chair Ganster was glad to hear about measurable progress along the border. He opened the meeting for a discussion of a theme and topics for the Eleventh Report, which would be led by *DFO Koerner*.

Selection of Theme and Topics for the Eleventh Report

DFO Koerner suggested four criteria for selecting a theme and topics for the Eleventh Report, as follows:

1. Relevance to the Board's mission to advise the President and Congress on environmental and infrastructure issues.

2. Relevant expertise of Board members
3. Timeliness and relevance of the issue to current concerns
4. Likelihood that recommendations would be helpful to the Administration.

Chair Ganster referred to a list of topics that members had checked off, based on their expertise and interests, to determine the topics for the Eleventh Report:

- Natural Hazards and the Environment—3 (+ 4)
- Solid Waste Issues—3 (- 1)
- Innovative Environmental Management Approaches—4 (+ 1 - 1)
- Status of Border 2012—1
- Changes in Border Environmental Infrastructure since NAFTA—1 (+ 1)

Chair Ganster suggested eliminating the last two and discussing the first three topics. He also asked members to list sub-topics and issues and in which Board members could be involved. *Carlos Rincon* noted that Border 2012 will have a mid-term report which could benefit from input from GNEB members. Topics 1, 2, and 3 could have other sub-topics subsumed under them. Members who had not put checks on the list added their comments and Topic 1—Natural Hazards and the Environment received 7 votes at this point.

Comments in favor of Topic 1—*Natural Hazards and the Environment* included:

- Determining the environmental effects of the responses or lack of responses to natural disasters affecting the border area, such as hurricanes and large storms, fires, and earthquakes
- Health and environmental effects of flooding of wastewater plants, medical facilities waste disposal, and industrial plant hazardous wastes.
- Availability of expertise of USGS and academic researchers on flood warning systems and binational fire councils
- International aspects of invoking the National Incident Command System by Homeland Security due to security concerns during natural disasters
- Recent efforts in emergency planning for natural disasters and hazardous wastes
- Relationship to canalization, levee rehabilitation, and flooding of the environment in the Brownsville, Texas area.
- Use of Homeland Security's BOR STAR and BOR TAC, the tactical response team, due to flooding in New Orleans, the Texas coast, and New Mexico.
- Limitations in infrastructure in some of Mexico's border communities to deal with the effects of natural disasters.
- Excessive rain in the Lower Rio Grande that leaves pools for mosquito breeding grounds.

DFO Koerner asked how this topic would relate to the Tenth Report on emergency response and preparedness and what the nature of recommendations would be. *Sally Spener* responded that the recommendations could deal with joint emergency responses between the two countries, joint planning, logistical issues, and the increase of data on detention dikes and ponds in Ciudad Juarez and El Paso. *James Stefanov* suggested a possible recommendation relating to bi-national information integration to help responders know about storm water structures, contaminants, and other flood hazards. *Chair Ganster* added that with the growth of population and land development

storm water run-off problems would increase. *Carl Edlund* thought that one outcome could be scenarios for disaster responses. *Mr. Dorsey* added that the Eleventh Report could focus on broader disasters than just chemical emergency responses, such as the effects of earthquakes. *DFO Koerner* asked members to broaden the term “Natural Hazards” to include disasters in general.

Chair Ganster removed his support for Topic 2-Solid Waste Issues in favor of Topic 1 and asked if anyone wanted to discuss it, but received no response. The next discussion related to Topic 3, *Innovative Environmental Management Approaches*. Discussion yielded the following ideas:

- The historical perspective of innovative projects that were successful could lead to further positive approaches.
- New movements in solid waste, bio-fuels, and air-monitoring could be reviewed and successful efforts could be applied to other places in the border.
- New environmental management systems in manufacturing facilities could be used to set new environmental standards.
- The Border 2012 midterm report is not due until 2007.

DFO Koerner asked for ideas on potential recommendations related to this topic. Members offered the following ideas:

- Successful innovative approaches could be used as a model and tools for improved border management of resources.
- Regional comparative analyses could provide advantages in the watersheds approach.
- Successful management approaches could provide justification for resources.
- Identifying projects that produce results through use of partnerships would attract more funds.
- Projects that have proven to be sustainable without special funding could be used as models of success.
- Success stories would be helpful for communities.
- The BECC/NADBank framework and tools that have been created to work successfully at the border region, such as the auto map, could help communities improve air quality.

Chair Koerner urged members to be very specific about recommendations for more funds that would help the administration move forward. *Ms. Montoya* thought it was difficult to determine specific recommendations before the topic was studied in depth; however, one recommendation could be to loosen immigration restrictions for federal agents at the border. Another idea, proposed by *Dr. Brown*, would be a web-enabled database or catalogue of success stories, contacts, funding sources, and mechanisms. *Chair Ganster* said a database would be useful tool, but was beyond the resources of GNEB.

Chair Ganster asked for a vote on the topics and *Natural Hazards and the Environment* received 8 votes and *Innovative Environmental Management* received 6 votes. *Mr. Niemeyer* added that natural hazards affects both human systems and ecosystems. *Dr. Brown* hoped that the losing topic could be used in the next GNEB Report. The next step was to break the topic down in to sub-topics and set-up work groups on *Natural Hazards*.

Ms. Spener suggested two frameworks for setting up workgroups: 1) Divide the topic by type, such as earthquakes, water, hurricanes and fire, or 2) divide by approaches including infrastructure, health effects, and responses. *Mr. Randolph* thought these could be combined by looking at topics and then approaches to each topic. *Dr. Varady* suggested using strategies, such as information management and partnership building. *DFO Koerner* suggested dividing the topic up by the nature of recommendations, such as data exchange, joint planning, information, etc.

It was decided to discuss the context of natural hazards in the border region in the Introduction. *Chair Ganster* concluded the discussion by stating that a work group would be needed to formulate the scheme via a teleconference. *DFO Koerner* asked for volunteers for an Eleventh Report workgroup that would have a teleconference in January. The following members volunteered: Sally Spener, Stephen Niemeyer, James Stefanov, Paul Ganster, Jennifer Montoya, Carl Edlund, and Michael Dorsey.

Standard Operating Procedures (SOP) for the GNEB and the Council on Environmental Quality (CEQ)

Director Rafael DeLeon reviewed the background and processes leading to standard operating procedures for the GNEB, other OCEM committees, and CEQ. The purpose was to have an agreed upon process for selecting topics for board meetings and report recommendations. The basic process is that Board members would select topics during the summer that would be forwarded to CEQ for review and approval. *DFO Koerner* and *Director DeLeon* would meet with CEQ officials to explain the list. CEQ could bring up issues that would require GNEB's advice and recommendations. In turn, CEQ would help with subject matter issues and coordination with other Federal agencies. CEQ would help with pre-release copies of the Reports, and GNEB would implement the final release and delivery to the White House or CEQ. *Director DeLeon* sees this as a collaborative process which would bring more visibility to the GNEB. For this year, the Board topics have been approved by CEQ. *DFO Koerner* added that, in the past, the Board has decided independently what issues they would work on. Under the new process, there is less autonomy, but she and *Director DeLeon* will make every effort to ensure that they will have the power to select topics.

Dr. Varady asked if there should not be input from Congress on the issues since GNEB reports to Congress. *Director DeLeon* thought they should continue to work through the CEQ, but that the Reports also would go to the Speaker of the House and the Border Congressional Caucus as part of the distribution process. *Dr. Brown* stated that he appreciated the work that they have done to provide the interface, elevate the exposure and protect the autonomy of the GNEB with CEQ. He was concerned about whether the GNEB Letters and Reports were actually seen by the President. *Director DeLeon* acknowledged that the Reports are statutorily required and he would like to see that the Chair of GNEB and the EPA Administrator would be able to deliver the report directly to the President. He hoped that CEQ would help facilitate this delivery. *Chair Ganster* thought that the attention from CEQ resulted from GNEB's increasing visibility and credibility and was an indicator of success.

DFO Koerner brought up the need for some further logistical steps on the Tenth Report. A date in early December was needed for a final consensus call on the Report. A draft of the Report had been released to a media source as required by FACA regulations. The work group coordinators need to have a conference call to decide on the final graphics and cover. The only time available was

determined to be Monday, October 30, at 12:00 Eastern time. *Chair Ganster* would coordinate Board comments on the draft interim report.

Adjournment:

There being no further business, *Chair Ganster* adjourned the meeting at **12:00 p.m.**